

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

This document relates to:

ALL TRACK ONE CASES

MDL No. 2804

Case No. 1:17-md- 2804

Hon. Dan Aaron Polster

I, Ruth Hartman, declare as follows:

1. I am a partner at BakerHostetler, based in Cleveland, Ohio. I represent the Endo Defendants in this litigation.
2. On or about December 6, 2018, I instructed BakerHostetler's Information Technology ("IT") Department to search the City of Cleveland, Cuyahoga County, City of Akron, and Summit County's ("Plaintiffs") discovery productions in the Navigant Relativity database for documents and/or emails containing certain terms relating to Attorney Carole Rendon.
3. Within the Plaintiffs' document production, BakerHostetler's IT Department searched for the terms "Carole w/2 Rendon" and/or "Rendon" and/or "carole.rendon@usdoj.gov" which was Attorney Rendon's sole email address at the U.S. Attorney's Office.
4. Based on these searches, Baker's IT Department generated the following hits: 166 emails from Akron/Summit County; 642 emails from the City of Cleveland and 4850 emails from Cuyahoga County, or collectively, 5,658 emails, as of December 7th, 2018.
5. Attorneys at BakerHostetler reviewed each email and determined that 3,750 were duplicates. Given the number of duplicates, Plaintiffs' *Motion to Disqualify* vastly overstates the number of emails involving Attorney Rendon. In fact, there are only 1,908 unique emails.

6. The 1,908 unique emails fall into the following categories:

Category	Count
Not Opioid-Related (including STANCE, NOVCC and Consent Decree)	471
Heroin Summit Planning Meetings	139
Name mentioned in Newspaper Articles	106
General Community/Educational Events or Panels	195
HIDTA	20
Non-task force/Other	490
Public Statements/Testimony	20
Heroin & Opioid Task Force	515

7. The overwhelming majority of the emails involving the Heroin & Opioid Task Force are non-substantive reminder notices for meetings, and Attorney Rendon is among several dozen individuals who are copied. For an example of such emails, please see Exhibit 1 [Redacted].
8. The majority of emails in the Newspaper Article category are simply announcements that Attorney Rendon was nominated as U.S. Attorney for the Northern District of Ohio and are entirely unrelated to opioid issues. For an example of such emails, please see Exhibit 2.
9. Based upon BakerHostetler's thorough review of the emails, none of them contain any confidential government information from any of the Plaintiffs.
10. Based upon BakerHostetler's thorough review of the emails, none of them contain any confidential information communicated to Attorney Rendon from Dr. Gilson or Cleveland Police Commander Gary Gingell, specifically, or from any of the Plaintiffs in general.
11. None of the emails from the Plaintiffs were labelled as "Confidential" by the sender of the email, even though Plaintiffs have designated their production in this litigation as "Confidential" or "Highly Confidential" under the Protective Order.
12. Plaintiffs attached several exhibits to their *Motion to Disqualify* (the "Email Exhibits"), the majority of which are emails that have been produced by Plaintiffs in this litigation.
13. Based upon my review of Plaintiffs' production letters and the Navigant Relativity database, I determined that Plaintiffs produced those Email Exhibits between the months of June 2018 and October 4, 2018.

14. The below chart summarizes when the Email Exhibits were produced.

Exhibit No.	Bates No.	Production Date
Exhibit 6	CLEVE_000274189	July 14, 2018
Exhibit 7	CLEVE_000274143	July 14, 2018
Exhibit 8	CUYAH_002121681	August 18, 2018
Exhibit 9	CUYAH_005128418	October 4, 2018
Exhibit 10	CUYAH_002122827	August 18, 2018
Exhibit 12	CLEVE_000218791	June 27, 2018
Exhibit 13	CUYAH_001607971	July 25, 2018
Exhibit 16	CUYAH_001646202	August 1, 2018

15. When I search for Ms. Rendon's name in the search engine www.google.com, her BakerHostetler biography appears first.
16. I attended the deposition of Dr. Thomas Gilson on January 22, 2019.
17. At the deposition, Dr. Gilson testified [Redacted].
18. At the deposition, Dr. Gilson testified [Redacted].
19. At the deposition, Dr. Gilson testified [Redacted].
20. Dr. Gilson testified [Redacted].
21. Dr. Gilson testified [Redacted].
22. He testified [Redacted].
23. He also testified [Redacted].
24. Attached is Exhibit 3, which is a true and accurate copy of excerpts from the rough deposition transcript of Dr. Thomas Gilson taken on January 22, 2019. [Ex. Redacted]. There is no final deposition transcript available at this time.

I declare under penalty of perjury that the foregoing is true and correct.

Date: 1/23/2019

/s/ Ruth Hartman
Ruth Hartman